

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANK KUNKLE, on behalf of himself and all
others similarly situated,

Plaintiff,

-against-

AMOK TIME, INC.,

Defendant.

23-CV-8526 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

The Complaint in this action was filed on September 27, 2023. On January 3, 2024, the Court ordered Plaintiff to show good cause in writing why service of the summons and Complaint was not made within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure – or, if Plaintiff believed service had been made, to demonstrate when and in what manner service *was* made within the 90 days. *See* ECF No. 6. The Court notified Plaintiff that if he did not show good cause – or file anything – by January 8, 2024, the Court would dismiss the Complaint. *Id.* Plaintiffs did not file anything by the deadline.

Accordingly, the Complaint is DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case.

Dated: January 11, 2024
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge